

Art Unit: 1649

EXAMINER'S AMENDMENT

1. The remarks and amendments filed 13 July 2009 have been entered. Claims 41-46, 48, 51-55, 71-76, and 79-84 are pending and under examination.

Information Disclosure Statement

2. The information disclosure statement filed 13 July 2009 has been considered. Note that several of the citations listed have been crossed out as they are duplicative; they were cited on form 892 mailed with previous office action. The references have been considered, but will only appear once on the face of a patent issuing from this application.

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joe Liebeschuetz on 12 November 2009.

4. The application has been amended as follows:

In the specification:

At p. 1, the title has been changed to:

- - Treatment and delay of outset of Parkinson's disease - - -

In the claims:

In claim 55, after the word "no", insert - - genetic - - -

In claim 71, line 1, delete "prophylactically treating" and replace with - - reducing the risk, lessening the severity, or delaying the outset of disease in - - -

In claim 71, line 4, delete "effecting prophylaxis" and replace with - - reducing the risk, lessening the severity, or delaying the outset - - -

In claim 74, line 1, delete "prophylactically treating" and replace with - - reducing the risk, lessening the severity, or delaying the outset of disease in - - -

In claim 71, line 5, delete "effecting prophylaxis" and replace with - - reducing the risk, lessening the severity, or delaying the outset - - -

Art Unit: 1649

In claim 80, after the word "no", insert - - genetic - - -

Support for the amendment to claims 55 and 80 can be found at paragraph [0010] of the specification, which discusses mutations within APP that lead to Alzheimer's disease, and paragraph [0134], which discuss patients free of risk factors towards Alzheimer's disease.

Support for the amendments to claims 71 and 74 can be found at paragraph [0137] of the specification.

5. The following is an examiner's statement of reasons for allowance: The arguments that the references do not anticipate or render obvious the claimed invention are persuasive. While Primavera (previously cited) teaches that A β is present in some cases of Parkinson's disease, Jendroska 1996 (Movement Disorders 11(6):647-653) teaches that this appears to be because the patients are of increasing age, and that the presence of A β is not related to Parkinson's disease. Furthermore, while Weksler teaches administration of amyloidogenic proteins for treatment of diseases, including Parkinson's disease, it is clear from that reference that the authors considered synuclein, not A β , to be the amyloidogenic protein in Parkinson's disease; see for example paragraph [0022].

.Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL KOLKER whose telephone number is (571)272-3181. The examiner can normally be reached on Mon - Fri 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Stucker can be reached on (571) 272-0911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1649

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daniel E. Kolker/

Primary Examiner, Art Unit 1649

November 16, 2009